

That a question has been raised as to whether your Complainants, Richard E. Zimmerman, Trustee, and Eugene A. Gray and Ida M. Gray, his wife, have a good and marketable title to the said parcels of land, due to the fact that Exhibit 3, being the deed from Florence Carroll Day, et al, to John E. Carroll aforesaid, contains in the "To have and to hold" clause the following language, "To have and to hold, the above released land and premises unto and to the use of the party of the second part, his heirs and assigns, forever, AND unto and to the use of and in trust for the heirs and assigns of the grantors hereof and each of them forever."; whereas, said deed in the "granting" clause states, "... have granted, released, and forever quit-claimed and do hereby grant and forever release and quit-claim unto the party of the second part ...". Thus the above-quoted parts of said deed seem to be in conflict.

That your Complainants and their attorneys have made reasonable efforts to ascertain the heirs, devisees, personal representatives, descendants or successors in interest of those parties named herein as Defendants, and have been unable to discover them.

That the above matter constitutes a cloud upon the title of your Complainants, and although your Complainants claim to hold a valid fee simple title, the same cannot be established of record without the removal of the aforesaid cloud upon the title of your Complainants; that your Complainants have no adequate remedy at law.

It is thereupon this 24th day of May, 1967, by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the authority thereof, ORDERED that the Complainants, by causing a copy of this Order to be inserted in some newspaper published in said Frederick County, once a week in each of four successive weeks, the last of such publications to be made not less than thirty (30) days from the 25th day of July, 1967, give notice to the unknown heirs, devisees, personal representatives, descendants or successors of Florence Carroll Day and George T. Day, her husband; Gannie Carroll Steward and Elmer Steward, her husband; Virginia Carroll Goode and Giles G. Goode, her husband; and James D. Carroll and Mary Carroll, his wife, whether residents of non-residents,